

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CURB RECORDS, INC. and MIKE CURB
FOUNDATION,

Plaintiffs,

v.

Civil Action No. 3:21-cv-0500

WILLIAM LEE, as Governor of the State of
Tennessee, in his official capacity; CARTER
LAWRENCE, as Commissioner of the Tennessee
Department of Commerce and Insurance, in his official
capacity; WILLIAM B. HERBERT IV, as Director of
the Nashville Department of Codes and Building
Safety, in his official capacity; and GLENN FUNK, as
District Attorney General for the 20th Judicial District
of Tennessee, in his official capacity,

Defendants.

AGREED ORDER

Currently pending before the Court is Plaintiffs' Motion for Summary Judgment (Dkt. 42) in which they argue that Tennessee Code Annotated § 68-120-120 is unconstitutional and may not be enforced against them. The Parties have agreed to resolve the motion and dismiss the case on the following terms.

Defendants agree that Plaintiffs are entitled to a declaration that Tennessee Code Annotated § 68-120-120 is unconstitutional and may not be enforced against Plaintiffs.

Plaintiffs waive any right to petition the Court for recovery of attorneys' fees or expenses with respect to this case.

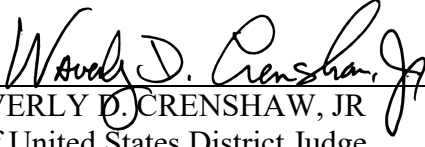
Each party waives any and all rights to appeal from this Agreed Order.

The Court therefore declares that Tennessee Code Annotated § 68-120-120 is unconstitutional and may not be enforced against Plaintiffs, and that Plaintiffs have waived any

right to petition the Court for recovery of attorneys' fees or expenses with respect to this case. This Agreed Order operates as a final judgment pursuant to the above terms and the case is therefore dismissed. Costs are taxed to State Defendants.

Any pending motions are **DENIED AS MOOT.**

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
Chief United States District Judge